IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 1358 of 2007(J)

PETITIONER:

MATHEW, S/O. JOSEPH,
KOLLARACKAL HOUSE, MANJALLOOR VILLAGE,
MUVATTUPUZHA.

BY ADV. SRI.C.P.SAJI
SMT.P.DEEPTHI

RESPONDENTS:

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1. THE TAHSILDAR,
   MUVATTUPUZHA.

2. THE VILLAGE OFFICER,
   MANJALLOOR.

3. THE GEOLOGIST,
   REGIONAL OFFICE, MINING AND GEOLOGY,
   CIVIL STATION, KAKKANADU.

BY GOVERNMENT PLEADER SRI. MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE PERMIT ISSUED BY THE TAHSILDAR MUVATTUPUZHA DATED 10.6.2003.

EXT.P2: COPY OF THE PROCEEDINGS OF THE TAHSILDAR, MUVATTUPUZHA DATED 13.7.2006.

EXT.P3: COPY OF THE CHALAN DATED 13.7.2006.

EXT.P4: COPY OF THE CHALAN DATED 13.7.2006.

EXT.P5: COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER BEFORE TAHSILDAR, MUVATTUPUZHA DATED 25.8.2006.

EXT.P6: COPY OF THE SONSENT LETTER DATED 26.6.2006.

TRUE COPY

P.A.TO JUDGE

K.BALAKRISHNAN NAIR, J.

WP(C).No.1358 OF 2007-J

Dated this the 20th day of February, 2007.

JUDGMENT

The petitioner was having a quarrying permit, to quarry granite stone as evident from Ext.P1. The latest application for renewal of permit was submitted on 25-8-2006. Ext.P5 is the covering letter of that application, it is submitted. Praying for passing final orders on that application, this writ petition is filed.

2. The learned Government Pleader, upon instruction, submitted that there were objections from the persons in the locality regarding renewal of the permit. Further, the existence of an electricity line in the neighborhood also stands in the way of renewing it.

The Writ Petition is disposed of directing the first respondent to pass final orders on the application of the petitioner for renewal of the permit for quarrying granite stone, in accordance with law, within one month from the date of production of a copy of this judgment, after affording an opportunity of being heard to the petitioner and other affected parties, if any.

K.BALAKRISHNAN NAIR,
JUDGE.

MS